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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/733,149

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03/03/2006

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EXAMINER

CHANG, YEAN HSI

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/733,149

Applicant(s)

YANG ET AL.

Examiner

Yean-Hsi Chang

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-17 and 19-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-17 and 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 8-13 and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Blackborow et al. (US 5,253,129).

Blackborow an electronic device (11, fig. 1) comprising: a housing (not labeled), a main board (16) disposed in the housing and having a first connector (20), a hard disk drive (32) having a second connector (20) connected to the first connector, and a fixing assembly (12) for connecting and fixing the hard drive to the electronic device, comprising: a mounting bracket (34) engaging the hard disk drive (shown in fig. 2), and a cover (96) flexibly engaged to the mounting bracket and engaging the electronic device, and a plurality of elastic members (for example, 95) disposed between the mounting bracket and the cover (fig. 2A) to absorb vibration in three dimensions (claims 1 and 12); wherein the mounting bracket comprises a first engaging portion (the engaging portion to 96, shown in fig. 2A), and the cover comprises a second engaging portion (the engaging portion of 96, shown in fig. 2A) flexibly connected to the first engaging portion (claims 2 and 13); wherein the mounting bracket (34) including a face

(36) and two flanges (38 and 40) extending from each end of the face, the elastic member being disposed between the face and a front plate (shown in fig. 2A, not labeled), between the flanges and side plates, and between the hard disk drive and the bottom plate (elastic member 92, shown in fig. 2), the cover (for example 24, fig. 1) including two side plates (one is shown) disposed at opposing ends of a bottom plate (not labeled) connected to a front plate (not labeled) forming an L shape, and the side plates to connect the front plate and the bottom plate (as shown in fig. 1) (claims 8 and 19); and wherein the elastic members are disposed between the face and a front plate (shown in fig. 2A, not labeled), between the flanges and side plates, and between the hard disk drive and the bottom plate (elastic member 92, shown in fig. 2) (claims 9-11 and 20-22).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-6 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blackborow et al. in view of Ohgami et al. (US 5,264,986).

Blackborow discloses the claimed invention except the engaging portions being a hook and a groove, and the protrusions being a nose and an angled lock.

Ohgami teaches a fixing assembly (36, fig. 4) for connecting and fixing a hard disk drive to an electronic device (32), comprising: a fixing bracket (38) having a first engaging portion being a slot (70) and a cover (30) having a second engaging portion being a hook (67) engaged to the hook; and the fixing bracket (38) having a first protrusion being an angled lock (68) and a cover (30) having a second protrusion being a nose (66) engaged to the angled lock.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the fixing assembly of Blackborow with the fixing assembly taught by Ohgami to have the fixing bracket having a engaging hook and a protruding nose, and the cover having a engaging slot and a protruding angled lock for limiting the movement of the hard disk drive to maintain a proper working condition.

Response to Arguments

5. Applicant's arguments with respect to claims 1 and 12 anticipated by Kato et al. (US 5,943,208) have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments regarding rejections under 35 U.S.C. 102(b) as anticipated by Blackborow et al. (US 5,253,129), have been fully considered but they are not persuasive. Applicants argue that "claim 1 is not anticipated by the hinged door (96) disclosed by Blackborow, and therefore the rejection of claim 1 should be withdrawn". A

door may be considered as a cover, and "hinged" may also be considered as flexibly engaged.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Correspondence

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yean-Hsi Chang whose telephone number is (571) 272-

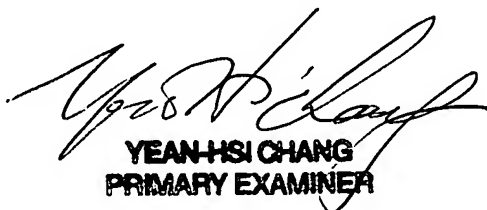
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2038. The examiner can normally be reached on 07:30 - 16:00, Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the Art Unit phone number is (571) 272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-8558.

Yean-Hsi Chang
Primary Examiner
Art Unit: 2835
February 26, 2006



YEAN-HSI CHANG
PRIMARY EXAMINER